

pany Act of 1935, particularly Section 17 (c) thereof, hereby adopts Form U-17-3 for the purpose of filing the statements required by Rule 17C-11.<sup>1</sup>

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1119—Filed, July 6, 1936; 12:54 p. m.]

#### SECURITIES ACT OF 1933

##### AMENDMENT NO. 24 TO INSTRUCTION BOOK FOR FORM A-2

The Securities and Exchange Commission, finding that any information or documents specified in Schedule A of the Securities Act of 1933, as amended, which Form A-2 and the book of instructions accompanying that form, as hereby amended, do not require to be set forth, are inapplicable to the class of securities to which such form is appropriate, and that disclosure fully adequate for the protection of investors is otherwise required to be included in the registration statement, and that such information and documents as Form A-2 and the accompanying book of instructions, as hereby amended, require to be set forth, but which are not specified in Schedule A, are necessary and appropriate in the public interest and for the protection of investors, acting pursuant to authority conferred upon it by the Securities Act of 1933, as amended, particularly Sections 7 and 19 (a) thereof, hereby amends Form A-2 and the book of instructions accompanying that form, as follows:

At the end of the "Special Rules as to the Use of Form A-2 for Corporations", there is added a new rule reading as follows:

6. Form A-2 may be used by a registrant if all the following conditions exist:

- (a) The registrant was a wholly-owned subsidiary of a corporation which, either alone or with one or more of its other wholly-owned subsidiaries, was merged into the registrant;
- (b) The registrant acquired all the assets and assumed all the liabilities of the corporations merged into it; and
- (c) The parent corporation could have used Form A-2 had the merger not taken place. In determining whether such parent corporation could have used Form A-2, the record of the registrant subsequent to the merger, in regard to income or annual reporting to security holders, shall be considered a continuation of the record of such parent corporation.

Whenever Form A-2 is used by virtue of this Special Rule, items in the form applying to the registrant shall for any period preceding the merger be deemed to apply to the parent corporation, unless the context clearly indicates the contrary. For any period preceding the merger, consolidated financial statements of the constituent corporations shall be considered to be financial statements of the registrant, and consolidated financial statements of the parent corporation and its subsidiaries (the subsidiaries to be included in such consolidated financial statements, whether or not they were merged into the registrant) shall be considered to be consolidated financial statements of the registrant and its subsidiaries, for the purpose of meeting the requirements of Form A-2 as to financial statements.

If the merger took place within two years from the date of filing, there shall be included in any registration statement filed pursuant to this Special Rule (i) a certified consolidated balance sheet of the constituent corporations immediately before the merger; and (ii) a certified balance sheet of the registrant immediately after the merger. These shall be prepared in accordance with the instructions as to financial statements in Form A-2, except that no schedules need be furnished, and shall be set forth in such form, preferably columnar, as to show in related manner the consolidated balance sheet, the changes effected in the merger, and the balance sheet of the registrant after giving effect to the changes. By footnote or otherwise a brief explanation of the changes shall be made.

As used in this Special Rule, (i) the term "wholly-owned subsidiary" means a subsidiary substantially all the outstanding stock of which is held, directly or indirectly, by a single

parent; and (ii) the term "contituent corporations" means the registrant and the corporations merged into it.

This amendment shall become effective immediately upon publication.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1120—Filed, July 6, 1936; 12:54 p. m.]

Wednesday, July 8, 1936

No. 83

#### PRESIDENT OF THE UNITED STATES.

##### EXECUTIVE ORDER

##### AMENDMENT OF SUBDIVISION IV, SCHEDULE B, CIVIL SERVICE RULES

By virtue of and pursuant to the authority vested in me by the provisions of paragraph Eighth of Subdivision SECOND of section 2 of the Civil Service Act of January 16, 1933 (22 Stat. 403, 404), Subdivision IV, Schedule B, of the Civil Service Rules is hereby amended by adding thereto the following paragraph to permit employments thereunder by the War Department in areas outside the continental limits of the United States when in the opinion of the Secretary of War the best interests of the service so require:

"4. Any person employed in an area outside the continental limits of the United States (except the Canal Zone and Alaska), when in the opinion of the Secretary of War the best interests of the service so require."

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,  
July 6, 1936.

[No. 7405]

[F. R. Doc. 1122—Filed, July 6, 1936; 2:39 p. m.]

##### EXECUTIVE ORDER

##### MODIFYING EXECUTIVE ORDERS OF JULY 2, 1910, AND FEBRUARY 17, 1912, CREATING RESPECTIVELY POWER SITE RESERVES NOS. 116 AND 244, COLORADO RIVER (FORMERLY GRAND RIVER), COLORADO

##### Modification No. 402

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, ch. 421, 36 Stat. 847, as amended by the act of August 24, 1912, ch. 369, 37 Stat. 497, it is ordered that the Executive Order of July 2, 1910, creating Power Site Reserve No. 116, and the Executive Order of February 17, 1912, creating Power Site Reserve No. 244, as affected by Executive Order of August 29, 1919, modifying the land descriptions thereof, be, and they are hereby, modified to the extent necessary to enable the Secretary of the Interior to approve two applications filed by the Denver and Salt Lake Western Railroad Company pursuant to the provisions of the act of March 3, 1875, ch. 152, 18 Stat. 482, for right-of-way for its constructed railroad from a point in sec. 21, T. 2 S., R. 83 W., to a point in sec. 5, T. 5 S., R. 86 W., Sixth Principal meridian, Colorado.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,  
July 6, 1936.

[No. 7406]

[F. R. Doc. 1126—Filed, July 7, 1936; 10:55 a. m.]

##### EXECUTIVE ORDER

##### QUARRY HEIGHTS MILITARY RESERVATION, CANAL ZONE

By virtue of and pursuant to the authority vested in me by section 5 of Title II of the Canal Zone Code, approved June 19, 1934, and as President of the United States the following-described area of land situated in the Canal Zone

<sup>1</sup> 1 F. R. 729.

is hereby reserved and set apart as, and assigned to the uses and purposes of, a military reservation, which shall be known as Quarry Heights Military Reservation, and shall be under the control and jurisdiction of the Secretary of War, except that it shall be subject to the civil jurisdiction of the Canal Zone authorities in conformity with the provisions of the Canal Zone Code:

Beginning at a 4 inch square brass plate (engraved Q. H. M. R., No. 1) in a 10 inch square concrete monument marked No. 1 on Panama Canal drawing No. M6103-81, located on the southerly side of Edwards Place and 25.0 feet at right angles, from the face of the northerly curb of Balboa Road. The geographic position of monument No. 1 (referred to the Panama-Colon datum of the Canal Zone triangulation system) is in latitude 8°57' N., plus 1171.7 feet, and longitude 79°33' W., plus 1502.1 feet (all brass plate markers and concrete monuments are similar to No. 1 unless otherwise described); thence,

N. 74°06' W., 502.1 feet, along the southerly edge of Edwards Place, to a monument, marked No. 2 on the map, in latitude 8°57' N., plus 1298.6 feet, and longitude 79°33' W., plus 1947.6 feet; thence,

N. 18°03' E., 214.6 feet, to a monument, marked No. 3 on the map, located on the 150-foot contour, in latitude 8°57' N., plus 1502.6 feet, and longitude 79°33' W., plus 1881.1 feet; thence,

Northerly, along the 150-foot contour, to a monument, marked No. 4 on the map, in latitude 8°57' N., plus 1846.6 feet, and longitude 79°33' W., plus 1777.9 feet (the direct bearing and distance from monument No. 3 to monument No. 4 is N. 16°42' E., 359.1 feet); thence,

Northerly and westerly, along the 150-foot contour to a monument, marked No. 5 on the map, in latitude 8°57' N., plus 2366.3 feet, and longitude 79°33' W., plus 1933.8 feet (the direct bearing and distance from monument No. 4 to monument No. 5 is N. 16°42' W., 542.6 feet); thence,

Northwesterly and northeasterly, along the 150-foot contour to a monument, marked No. 6 on the map, in latitude 8°57' N., plus 2589.4 feet, and longitude 79°33' W., plus 2006.7 feet (the direct bearing and distance from monument No. 5 to monument No. 6 is N. 18°05' W., 234.7 feet); thence,

Westerly, along the 150-foot contour to a monument, marked No. 7 on the map, in latitude 8°57' N., plus 2742.7 feet, and longitude 79°33' W., plus 2359.7 feet (the direct bearing and distance from monument No. 6 to monument No. 7 is N. 66°32' W., 384.9 feet); thence,

Northerly, northeasterly and northerly along the 150-foot contour to a monument, marked No. 8 on the map, in latitude 8°57' N., plus 3487.7 feet, and longitude 79°33' W., plus 1742.6 feet (the direct bearing and distance from monument No. 7 to monument No. 8 is N. 39°38' E., 967.4 feet); thence,

S. 76°39' E., 484.0 feet, through two 4 inch square brass plates (engraved Q. H. M. R. C. Z.) set in concrete at each side of the main entrance to the reservation, to a monument marked No. 9 on the map, located on the 325-foot contour, in latitude 8°57' N., plus 3376.0 feet, and longitude 79°33' W., plus 1271.7 feet; thence,

Northerly, along the 325-foot contour to a monument, marked No. 10 on the map, in latitude 8°57' N., plus 3925.4 feet, and longitude 79°33' W., plus 1285.5 feet (the direct bearing and distance from monument No. 9 to monument No. 10 is N. 01°26' W., 549.6 feet); thence,

Northerly, along the 325-foot contour to a monument, marked No. 11 on the map, in latitude 8°57' N., plus 4748.4 feet, and longitude 79°33' W., plus 1011.7 feet (the direct bearing and distance from monument No. 10 to monument No. 11 is N. 18°24' E., 867.4 feet); thence,

Easterly and southeasterly, along the 325-foot contour to a monument, marked No. 12 on the map, in latitude 8°57' N., plus 4531.5 feet, and longitude 79°33' W., plus 528.5 feet (the direct bearing and distance from monument No. 11 to monument No. 12 is S. 65°49' E., 529.7 feet); thence,

Southerly, easterly and southeasterly, along the 325-foot contour to a monument, marked No. 13 on the map, in lati-

tude 8°57' N., plus 4209.0 feet, and longitude 79°33' W., plus 325.5 feet (the direct bearing and distance from monument No. 12 to monument No. 13 is S. 32°11' E., 381.0 feet); thence,

Southerly, along the 325-foot contour to a monument, marked No. 14 on the map, in latitude 8°57' N., plus 3931.2 feet, and longitude 79°33' W., plus 400.2 feet (the direct bearing and distance from monument No. 13 to monument No. 14 is S. 15°03' W., 287.6 feet); thence,

Southeasterly, and southerly along the 325-foot contour to a monument, marked No. 15 on the map, in latitude 8°57' N., plus 3712.2 feet, and longitude 79°33' W., plus 237.6 feet (the direct bearing and distance from monument No. 14 to monument No. 15 is S. 36°35' E., 272.8 feet); thence,

S. 12°16' E., 1142.8 feet through monuments, marked No. 16 and No. 17 on the map, to a monument, marked No. 18 on the map, in latitude 8°57' N., plus 2595.5 feet, and longitude 79°32' W., plus 6008.1 feet; thence,

S. 55°40' E., 520.3 feet, through a monument, marked No. 19 on the map, to a monument, marked No. 20 on the map, located 25.0 feet northwesterly and at right angles from the face of the northwesterly curb of Fourth of July Avenue, in latitude 8°57' N., plus 2302.0 feet, and longitude 79°32' W., plus 5578.4 feet (on a continuation of this bearing, 24.4 feet, is a brass reference plug cemented into the northwesterly curb of Fourth of July Avenue); thence,

Southwesterly and westerly, parallel to and 25.0 feet northwesterly and at right angles from the face of the curb on Fourth of July Avenue and northerly and at right angles from the face of the curb of Balboa Road, through a brass plug cemented into the northerly curb of Edwards Place, to the point of beginning.

The directions of the lines refer to the true meridian.

Elevations are referred to precise level datum.

The above tract contains an area of 124.4 acres, more or less.

The above area was surveyed by the Section of Surveys, the Panama Canal, in December, 1935, and is as shown on Panama Canal Drawing No. M-6103-81, dated May 23, 1936, titled "Boundary of Quarry Heights Military Reservation", showing approval by the Governor, the Panama Canal, and the Commanding General, Panama Canal Department, in whose offices the drawing is filed.

This order supersedes Executive Orders No. 3202 of December 22, 1919, No. 3386 of January 21, 1921, and No. 3428 of April 8, 1921, establishing the Quarry Heights Military Reservation, Canal Zone, and any lands affected by said prior orders and not contained within the area described in this order are hereby released from said reservation.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,  
July 6, 1936.

[No. 7407]

[F. R. Doc. 1127—Filed, July 7, 1936; 10:56 a. m.]

## TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 48418]

### CUSTOMS REGULATIONS AMENDED—TRANSPORTATION OF BONDED MERCHANDISE

Article 873 (a) of the Customs Regulations of 1931 amended to include Public Resolution 108, approved June 19, 1936, authorizing the Secretary of the Treasury to permit the transportation of bonded merchandise by other than common carriers under certain conditions.

To the Collector of Customs, New York, N. Y., and Others Concerned:

Pursuant to the authority contained in Section 251, Revised Statutes (19 U. S. C., Sec. 66), and Public Resolution No. 108, approved June 19, 1936, Article 873 (a) of the Customs Regu-

lations of 1931 is hereby amended by substituting a comma for the period at the end thereof and adding the following:

except as provided by Public Resolution No. 108, approved June 19, 1936, which is as follows:

\* \* \* That the Secretary of the Treasury be, and he is hereby, authorized, when it appears to him to be in the interest of commerce, and notwithstanding any provision of law or regulation requiring that the transportation of imported merchandise be by a bonded common carrier, to permit such merchandise which has been entered and examined for customs purposes to be transported by bonded cartmen or bonded lightermen between the ports of New York, Newark, and Perth Amboy, which are all included in Customs Collection District Numbered 10 (New York): *Provided*, That this resolution shall not be construed to deprive any of the ports affected of its rights and privileges as a port of entry.

Pursuant to the above resolution and subject to compliance with all other applicable provisions of this chapter, the Collector of Customs at New York may, upon the request of the party in interest, permit merchandise entered and examined for customs purposes to be transported in bond between the named ports by bonded cartmen or lightermen duly qualified in accordance with the provisions of Chapter XIX, provided that the Collector is satisfied that the transportation of such merchandise in this manner will not endanger the revenue.

[SEAL]

WILLIAM R. JOHNSON,  
*Acting Commissioner of Customs.*

Approved, July 2, 1936.

WAYNE C. TAYLOR,  
*Acting Secretary of the Treasury.*

[F. R. Doc. 1141—Filed, July 7, 1936; 1:02 p. m.]

## DEPARTMENT OF AGRICULTURE.

### Bureau of Biological Survey.

#### ORDER PERMITTING FISHING WITHIN LAKE MATTAMUSKEET WILDLIFE REFUGE, NORTH CAROLINA

Pursuant to regulations 1 and 2 of the regulations of the Secretary of Agriculture issued on May 7, 1930, governing the administration of Federal wildlife refuges, it is hereby ordered that until further notice, under permit issued by the officer in charge or his duly authorized representative, fish may be taken when and as permitted by the laws and regulations of the State of North Carolina from waters within the Lake Mattamuskeet Wildlife Refuge, established by Executive Order No. 6924, dated December 18, 1934, subject to the following conditions and restrictions:

1. *Licenses.*—Prior to the issuance of a permit to take fish in the waters of the refuge, the applicant for the privilege of fishing shall be in possession of and exhibit to the resident officer in charge a valid State fishing license, if such license is required, and any person to whom has been issued a Federal fishing permit shall carry such permit on his person when exercising the privileges thereunder: *Provided*, That such fishing shall be done in such manner as will not interfere with the objects for which the refuge was established, and only upon such area or areas as the Chief of the Bureau of Biological Survey may from time to time designate.

2. *Routes of travel.*—Persons entering the refuge for the purpose of reaching waters thereof for fishing shall follow such routes of travel as shall from time to time be designated by the officer in charge of the refuge.

3. *Firearms and fires.*—The carrying or being in possession of firearms of any description or lighting of fires for any purpose while on such refuge is not permitted. Special care must be observed to prevent lighted matches, cigars, cigarettes, or pipe ashes from being dropped in grass or other inflammable material.

4. *Suspension of fishing privileges.*—Whenever it shall appear that, because of intensive fishing or other causes, the supply of fish in any portion or portions of the waters open to fishing is becoming excessively reduced, the Chief of the Bureau of Biological Survey may, in his discretion, within three days after giving notice to that effect, terminate fishing in such area or areas as may in his judgment have become so affected; and all outstanding permits shall thereupon become null and void for fishing in such area or areas.

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5. *Revocation of permits.*—Any permit issued under this order may be revoked by the issuing officer for noncompliance with the terms thereof, for nonuse, or for violation of any law or regulation applicable to the refuge or of any State or Federal law or regulation protecting fish or other wildlife, or the nests or eggs of birds; and it is subject at all times to discretionary revocation by the Secretary of Agriculture.

[SEAL]

M. L. WILSON, *Acting Secretary.*

JULY 7, 1936.

[F. R. Doc. 1129—Filed, July 7, 1936; 12:02 p. m.]

## FEDERAL TRADE COMMISSION.

### United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 2nd day of July A. D. 1936.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr., Edwin L. Davis, W. A. Ayres, Robert E. Freer.

[Docket No. 2783]

IN THE MATTER OF SMOKED PRODUCTS COMPANY, A CORPORATION,  
AND THE SMOKED SALT COMPANY, INC.

#### ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 USCA, Section 41):

It is ordered, That Robert S. Hall, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered that the taking of testimony in this proceeding begin on Wednesday, July 15, 1936, at ten o'clock in the forenoon of that day, in room 722, Federal Building, Detroit, Michigan.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report. By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 1136—Filed, July 7, 1936; 12:31 p. m.]

### United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 2nd day of July A. D. 1936.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr., Edwin L. Davis, W. A. Ayres, Robert E. Freer.

[Docket No. 2784]

IN THE MATTER OF PENNSYLVANIA SALT MANUFACTURING  
COMPANY AND GENERAL LABORATORIES, INC.

#### ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered, that Robert S. Hall, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, that the taking of testimony in this proceeding begin on Wednesday, July 15, 1936, at ten o'clock

in the forenoon of that day, in room 722, Federal Building, Detroit, Michigan.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report. By the Commission:

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 1137—Filed, July 7, 1936; 12:31 p. m.]

*United States of America—Before Federal Trade Commission*

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 2nd day of July A. D. 1936.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr., Ewin L. Davis, W. A. Ayres, Robert E. Freer.

[Docket No. 2817]

**IN THE MATTER OF PLOUGH, INC., A CORPORATION  
ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR  
TAKING TESTIMONY**

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered, that John J. Keenan, an examiner of this Commission, be, and he hereby is, designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law.

It is further ordered, that the taking of testimony in this proceeding begin on Tuesday, July 23, 1936, at 10:00 o'clock in the forenoon of that day, central standard time, at Room 204, Federal Building, Memphis, Tennessee.

Upon completion of testimony for the Federal Trade Commission, the Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The Examiner will then close the case and make his report. By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 1138—Filed, July 7, 1936; 12:32 p. m.]

**INTERSTATE COMMERCE COMMISSION.**

**PROPOSED SAFETY REGULATIONS OF THE INTERSTATE COMMERCE COMMISSION, APPLICABLE TO MOTOR CARRIERS SUBJECT TO THE MOTOR CARRIER ACT, 1935<sup>1</sup>**

JULY 1, 1936.

*To Motor Carriers Subject to the Motor Carrier Act, 1935, and to Other Interested Parties:*

For some time the Bureau of Motor Carriers has been studying the matter of safety regulations, and has had numerous conferences with interested parties, with a view to making recommendations to the Commission as to the rules and regulations which it should prescribe as provided in Section 204 of the Motor Carrier Act, 1935. Contained herein is a draft of the recommendations which seem proper in the light of present information. These recommendations have not been considered by the Commission. The Bureau would welcome your comments and criticisms as to the proposals so that changes which seem appropriate may be made before they are submitted to the Commission. While these rules and regulations are drawn for application to common and contract motor carriers, because special administrative problems are involved in their application to private motor carriers, we desire also the views of interested parties as to the propriety of making like rules and regulations applicable to private motor carriers.

Comments and criticism should be filed on or before August 1, 1936.

JOHN L. ROGERS, *Director*.

<sup>1</sup> See 2 F. R. January 22, 1937.

**TABLE OF CONTENTS**

- I. Introductory Comment.
- II. Qualifications of Drivers.
- III. Driving of Motor Vehicles.
- IV. Parts and Accessories Necessary for Safe Operation.
- V. Reporting of Accidents.

**I. INTRODUCTORY COMMENT**

*Legal Authority*

These proposed regulations are based upon the duty imposed and the authority conferred upon the Interstate Commerce Commission by the Motor Carrier Act, 1935, particularly Section 204 (a), (1) and (2), reading as follows:

Sec. 204. (a) It shall be the duty of the Commission—

(1) To regulate common carriers by motor vehicle as provided in this part, and to that end the Commission may establish reasonable requirements with respect to continuous and adequate service, transportation of baggage and express, uniform systems of accounts, records, and reports, preservation of records, qualifications and maximum hours of service of employees, and safety of operation and equipment.

(2) To regulate contract carriers by motor vehicle as provided in this part, and to that end the Commission may establish reasonable requirements with respect to uniform systems of accounts, records, and reports, preservation of records, qualifications and maximum hours of service of employees, and safety of operation and equipment.

*The Ultimate Objective*

Under this legal authority, the ultimate objective of the safety regulations of the Interstate Commerce Commission, Bureau of Motor Carriers (in so far as concerns operations subject to the Motor Carrier Act, 1935) is to decrease accidents, save human lives, and reduce property losses by the following means:

*Every Driver—*

mentally and physically qualified to drive safely;  
possessor of a driver's license;  
subject to rules and regulations relating to qualifications of drivers and safety of operation; and  
protected from hazardous fatigue by limitations on hours of service.

*Every Vehicle—*

inherently safe in its physical specifications;  
properly equipped for safety purposes;  
regularly inspected and maintained in safe working order; and  
carrying visible means of identification.

*Every Accident involving death, injury, or material property damage—*

carefully analyzed to determine further means of accident prevention.

*Long Term Program Necessary*

To accomplish these purposes, a long-term program, involving various regulations and means for their enforcement, will be necessary. This complete program, based on the best existing State motor vehicle laws and regulations and the proven safety practices of leading motor carriers, requires consideration of the following elements:

*Control of the Driver—*

- Qualifications of drivers.  
(With filing of information relative to every driver.)
- Medical examination of drivers.
- Licensing of drivers by the Interstate Commerce Commission.  
(With provision for suspension and revocation of license for cause.)
- Limitations on hours of service.  
(To be the subject of special investigation at an early date.)
- Regulations governing the driving of motor vehicles subject to the Motor Carrier Act.  
(To be incorporated in a handbook for motor carriers and drivers.)
- Encouragement of good driving habits and attitude, and promotion of driving skill.

**Control of the Vehicle—**

Parts and accessories necessary for safe operation.

(Requirements as to lights, brakes, and other parts and accessories for (a) vehicles now in operation, and (b) new vehicles placed in service after a given date.)

Inspection and maintenance.

(To be made by the motor carrier with Interstate Commerce Commission regulations as minimum standards, subject to check from time to time by representatives of the Commission.)

Identification.

(Numerical plate, stencil, or painting, or other means of identifying every vehicle.)

Motor vehicle standards.

(Size and weight of motor vehicles.)

**Reporting of Accidents—**

(Written report by the motor carrier on all serious accidents; with telegraphic reports on accidents involving fatalities.)

**Regulations Proposed for 1936**

A safety structure of this magnitude will take some considerable time to build. The foundation must be begun first. It is proposed that this foundation, to be completed in 1936, will include the following items:

1. Qualifications of drivers and filing of information regarding drivers;
2. Regulations regarding the driving of motor vehicles;
3. Certain parts and accessories necessary for safe operation; and
4. Reporting of accidents.

**Applicability of Proposed Regulations**

Proposed regulations on these four items are set forth herein, prefaced in each case by a brief explanatory comment. They apply to all common and contract carriers operating in interstate or foreign commerce. Their extension to private carriers under Section 204 (a) (3) of the Motor Carrier Act, 1935, which presents special administrative problems, will be given early consideration. Even in the comparatively limited field of interstate for-hire operations, however, these safety provisions are of great importance, for their effect may be expected to extend far beyond the scope of their immediate application and ultimately to promote greater safety over the whole field of motor vehicle operation.

Application of these regulations will tend to remove many of the conflicting requirements which interstate operators must now meet. Every effort has been made to consider carefully existing State regulations and to depart as little therefrom as possible. It is expected that attainment of much-needed uniformity, for which the Interstate Commerce Commission regulations offer a basis, will be facilitated by agreement with the several States.

**Comments and Criticism Requested**

Comments and criticism are earnestly solicited from all who receive this material. In order to expedite development of these tentative regulations, a prompt response is essential. All correspondence should be addressed to the Interstate Commerce Commission, Bureau of Motor Carriers, Washington, D. C.

**Twenty-three Organizations Consulted**

The general scope of the safety activities of the Bureau of Motor Carriers, and particularly the four regulatory measures proposed for 1936, have been discussed and elaborated through conferences with official representatives of the following organizations, as well as with many individuals:

Amalgamated Association of Street and Electric Railway and Motor Coach Employees of America.  
American Association of Motor Vehicle Administrators.  
American Automobile Association.

<sup>1</sup> Official Committee.

American Farm Bureau Federation.

American Transit Association.<sup>1</sup>

American Trucking Associations, Inc.<sup>1</sup>

American Standards Association.<sup>1</sup>

Association of American Railroads.<sup>1</sup>

Association of Casualty and Surety Executives.<sup>1</sup>

Automobile Manufacturers Association.<sup>1</sup>

Federal Government Departments.

International Brotherhood of Teamsters, Chauffeurs, Stablemen, and Helpers of America.

Mutual and Reciprocal Insurance Companies.<sup>1</sup>

National Association of Motor Bus Operators.<sup>1</sup>

National Association of Railroad and Utilities Commissioners.<sup>1</sup>

National Automobile Underwriters Association.<sup>1</sup>

National Bureau of Casualty and Surety Underwriters.

National Conference on Street and Highway Safety.

National Highway Users Conference.

National Industrial Traffic League.

National Safety Council.

Railway Labor Executives Association.

Society of Automotive Engineers.<sup>1</sup>

**Penalties**

Attention is directed to Section 222 of the Motor Carrier Act, 1935, which sets forth the penalties which may be imposed in case of violation, and to Section 212 which provides for revocation, in whole or in part, of certificates and permits by the Commission for wilful failure to comply with its rules and regulations.

**II. QUALIFICATIONS OF DRIVERS****Comment**

First and foremost in the problem of motor vehicle safety is the driver—the man at the wheel. To insure, so far as possible, that the driver is competent and safe, it is proposed to establish certain reasonable requirements with respect to the qualifications which he must possess. The motor carrier will be held responsible for seeing that these requirements are complied with.

The regulations which follow are applicable to every person, other than a private carrier or employee thereof, who drives any motor vehicle the operation of which is subject to regulation under the Motor Carrier Act, 1935. They apply, therefore, to every motor carrier who is an owner-driver, as well as to every employee who drives.

To promote compliance with these requirements as to qualifications of drivers, it is proposed to require every motor carrier to furnish certain pertinent information as to himself, if an owner-driver, and as to every person in his employ who drives a motor vehicle subject to these regulations. The information thus obtained will provide some of the important elements necessary for the establishment of a system for licensing drivers.

**INTERSTATE COMMERCE COMMISSION****BUREAU OF MOTOR CARRIERS****WASHINGTON**

Regulations prescribed under authority of the Motor Carrier Act, 1935, particularly Section 204 (a), (1) and (2), with respect to qualifications of drivers of motor vehicles operated in interstate or foreign commerce for compensation

Effective.....

**1. As used in these regulations—**

(a) The term "motor vehicle" means any vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property, and any combination of such vehicles, but does not include any vehicle, locomotive, or car operated exclusively on a rail or rails.

(b) The term "driver" means an individual who drives in interstate or foreign commerce any motor vehicle as defined in paragraph 1 (a) above.

(c) Any other term used in these regulations is used in its commonly accepted meaning, except where such other term has been defined in Section 203 (a) of the Motor

Carrier Act, 1935, in which event the definition therein given shall apply.

2. Every motor carrier shall comply with the following regulations and shall fully instruct his or its employees with respect thereto.

3. On and after \_\_\_\_\_, no motor  
(Effective date of regulations)

carrier shall drive, or permit or require any individual to drive, any motor vehicle operated in interstate or foreign commerce, unless the person so driving possesses the following minimum qualifications:

(a) Experience in driving some type of motor vehicle for not less than one year, including experience throughout the four seasons;

(b) Good physical and mental health;

(c) No physical deformity or loss of limb likely to interfere with safe driving;

(d) Good eyesight in both eyes (either without glasses, or by correction with glasses), including adequate perception of red and green colors;

(e) Adequate hearing;

(f) Competency to operate safely the type of vehicle or vehicles which he drives;

(g) Knowledge of rules and regulations issued by the Interstate Commerce Commission under the Motor Carrier Act, 1935, pertaining to the safety of driving of motor vehicles;

(h) Shall not be addicted to the use of narcotic drugs;

(i) Shall neither use, nor be under the influence of, any alcoholic liquor or beverage while on duty, nor otherwise make excessive use thereof;

(j) Not less than twenty-one years of age, unless the person was engaged in so driving on \_\_\_\_\_

(Effective date  
\_\_\_\_\_ or within one year prior thereto, but in no  
of regulations)

case less than eighteen years of age; and

(k) Ability to read and speak the English language, unless the person was engaged in so driving on \_\_\_\_\_

(Effective date  
\_\_\_\_\_ or within one year prior thereto.  
of regulations)

4. Every motor carrier, within sixty days after the effective date of these regulations, or within twenty days after any person not engaged on such date as a driver becomes so engaged, shall file with the Interstate Commerce Commission, Bureau of Motor Carriers, Washington, D. C., for such motor carrier if such motor carrier is himself a driver, and for each person employed or permitted by such motor carrier to drive for a period longer than three days, the following information: (Forms containing the following questions will be supplied to all motor carriers.)

(1) (a) Name of driver: \_\_\_\_\_  
(Print in full) (First name)

(Middle name) (Last name)

(b) Signature of driver: \_\_\_\_\_  
(To be signed as means of identification in presence of  
person making this report)

(2) Residence: \_\_\_\_\_  
(Street and No.) (City or town)

(County) (State)

(3) Description of driver: Date of birth \_\_\_\_\_  
(Month) (Day) (Year)

(Sex) (Race) (Height) (Weight)

(Color of hair) (Color of eyes)

(4) Is driver engaged in driving a passenger-carrying  
\_\_\_\_\_ or a property-carrying  
motor vehicle?

(5) In what year did driver begin to drive motor vehicles? \_\_\_\_\_

(6) How many miles (approximately) has driver driven: Passenger  
cars \_\_\_\_\_ Trucks up to and including 1½  
tons capacity \_\_\_\_\_ Trucks over 1½ tons  
capacity \_\_\_\_\_ Trailer combinations  
\_\_\_\_\_ Taxicabs \_\_\_\_\_ Buses \_\_\_\_\_

(7) If now licensed to drive motor vehicles by any State or States, list as follows:

State	As chauffeur or operator	License number	Date of expiration
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(8) Has any State license, or right to drive as a non-resident, held by driver been suspended or revoked within the past five years? \_\_\_\_\_ If so, list as follows:

State	Cause	Year	Suspended or revoked	If suspended, for how long a period
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(9) Has driver during the past five years been convicted of any of the following charges: (a) Any charge resulting from the driving by him of a motor vehicle involved in a fatal accident; (b) failure to stop at the scene of an accident involving him as the driver of a motor vehicle; (c) driving while intoxicated or under the influence of intoxicating liquor or narcotic drugs; (d) reckless driving; (e) driving after any license issued to him has been suspended or revoked, or application therefor refused; (f) or any charge of habitual drunkenness? \_\_\_\_\_ If so, list as follows:

Name of court	Where located	Date	Charge	What was sentence or penalty
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(10) Is there now pending against driver in any court any charge of any violation of law as listed in No. 9? \_\_\_\_\_ If so, state as follows:

Name of court	Where located	Nature of charge
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(11) Has driver during the past five years been involved as the driver of a motor vehicle in any accident resulting in death or injury to any person? \_\_\_\_\_ If so, state as follows:

In or near what city or town, and State	Date	No. killed	No. injured
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(Accidents not requiring medical treatment of injured persons need not be reported)

(12) Does driver read \_\_\_\_\_ write \_\_\_\_\_ and speak \_\_\_\_\_ the English language?

(13) Is driver crippled in any manner? \_\_\_\_\_ If so, in what respect?

(14) Has driver ever suffered any mental ailment, any epileptic or other seizure of unconsciousness, or other disorder of the nervous system? \_\_\_\_\_ If so, state fully: \_\_\_\_\_

(15) Is driver's eyesight defective? Left eye \_\_\_\_\_ Right eye \_\_\_\_\_ Does he wear glasses while driving? \_\_\_\_\_ Can he distinguish red and green colors? \_\_\_\_\_

(16) Is driver's hearing defective? \_\_\_\_\_ If so, to what extent?

(17) Has driver any other physical incapacity or infirmity of which you are aware? \_\_\_\_\_ If so, state fully: \_\_\_\_\_

(18) How long has driver been employed by you? From \_\_\_\_\_ to \_\_\_\_\_  
(Date) (Date)

(19) To what extent does driver use alcoholic beverages? \_\_\_\_\_

(20) Does driver use narcotic drugs? \_\_\_\_\_

(21) Has driver ever been given a medical examination in connection with his employment as a driver? \_\_\_\_\_ If so, state date of last such examination: \_\_\_\_\_

Name of motor carrier \_\_\_\_\_  
(Company name, if company)

Address \_\_\_\_\_

I. C. C. certificate or permit number \_\_\_\_\_

Additional comments as to this driver: \_\_\_\_\_

I, the undersigned, hereby certify that the foregoing information is true and correct to the best of my knowledge and belief.

Signed \_\_\_\_\_  
Title \_\_\_\_\_ Date \_\_\_\_\_

## III. DRIVING OF MOTOR VEHICLES

*Comment*

Uniform and reasonable rules as to the driving of motor vehicles will contribute to increased safety of operation. Proposed regulations on this subject are contained in the following pages.

It is proposed to print these regulations eventually in a small booklet or handbook of pocket size for the guidance of motor carriers and drivers.

It will be noted that these tentative regulations are for the governance of experienced drivers who are already familiar with the ordinary operation of motor vehicles. They are not intended, in any sense, as a complete compendium of driving instructions, but rather as a compilation of certain requirements which must be observed in the interest of increased safety.

## INTERSTATE COMMERCE COMMISSION

## BUREAU OF MOTOR CARRIERS

## WASHINGTON

Regulations prescribed under authority of the Motor Carrier Act, 1935, particularly Section 204 (a), (1) and (2), with respect to the driving of motor vehicles operated in interstate or foreign commerce for compensation

Effective.....

## 1. As used in these regulations—

(a) The term "motor vehicle" means any vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property, and any combination of such vehicles, but does not include any vehicle, locomotive, or car operated exclusively on a rail or rails.

(b) The term "vehicle" means any vehicle or combination of vehicles of any type whatsoever operated upon the highways.

(c) The term "driver" means an individual who drives in interstate or foreign commerce any motor vehicle as defined in paragraph 1 (a) above.

(d) Any other term used in these regulations is used in its commonly accepted meaning, except where such other term has been defined in Section 203 (a) of the Motor Carrier Act, 1935, in which event the definition therein given shall apply.

2. Nothing contained in these regulations shall be construed as prohibiting any motor carrier from enforcing additional rules and regulations relating to safety of operation, not inconsistent with these regulations, tending to a greater degree of precaution against accidents.

3. Every motor carrier and his or its officers, agents, employees, and representatives shall comply with the following regulations, and every such motor carrier shall fully instruct his or its officers, agents, employees, and representatives with respect thereto.

*Reckless Driving*

4. No motor vehicle shall be driven recklessly, or so as to endanger the life, limb, or property of any person.

5. No motor vehicle shall be driven by any driver while his ability or alertness is so impaired through fatigue, illness, or any other cause as to make it unsafe for him to drive or continue to drive a motor vehicle, nor shall he be permitted or required to drive while in such condition, except, in case of grave emergency, where the hazard to passengers would be increased by observance of this rule.

6. No driver shall go on duty while under the influence of, nor drink while on duty, any alcoholic liquor or beverage; nor shall he be permitted so to do.

*Speed*

7. No motor vehicle shall be driven at a speed greater than is reasonable and prudent, having due regard to weather, traffic, intersections, width and character of the roadway, type of motor vehicle, and any other conditions then existing.

Any speed in excess of forty-five miles per hour shall be prima facie evidence that the speed is not reasonable or prudent.

*Before Driving*

8. No motor vehicle shall be driven unless the driver thereof shall have satisfied himself by personal inspection or test at the beginning of each trip or day's work that the following required parts and accessories are in good working order:

Lights and reflectors;  
Brakes, both service and hand;  
Horn;  
Windshield wiper;  
Tires;  
Steering mechanism; and  
Coupling devices;

and that the following required accessories are in place and ready for immediate use in case of emergency:

## (a) On every motor vehicle—

One fire extinguisher (one quart carbon tetrachloride or other volatile liquid type, seven and one-half pound carbon dioxide type, or one gallon calcium chloride type);

One jack;

At least one spare electric bulb for each kind of required electric lighting device;

One red lantern, if projecting loads are carried; and

One red flag, not less than sixteen inches square, if projecting loads are carried.

## (b) On every motor vehicle operating outside the corporate limits of cities, towns, or villages—

All items listed under (a) above;

One tool kit (sufficient for ordinary repairs);

One set of tire chains (for all vehicles likely to encounter conditions requiring them);

At least one spare tire capable of fitting each wheel;

At least two chocks;

At least two flares (pot torches) or red electric lanterns (unless motor vehicle is operated solely on lighted streets or in daylight hours); and

At least two red flags with standards.

## (c) On every bus having a seating capacity of ten or more persons and operating outside the corporate limits of cities, towns, or villages—

All items listed under (a) and (b) above;

One metal first-aid kit with supplies sufficient for ten injured persons; and

One hand axe.

NOTE.—See Regulations with respect to Parts and Accessories, Section D (7).

9. No motor vehicle shall be driven unless the driver thereof shall have satisfied himself that tarpaulins, chains, ropes, stakes, poles, and the like, or any part of the load, are securely fastened to prevent dangling, flapping, swinging, or falling from side, end, or top of load.

10. No motor vehicle which is stopped, standing, or parked shall be started until the course is known to be clear.

*Driving*

11. Every motor vehicle shall be driven, so far as practicable, upon the extreme right side of the traveled portion of the highway.

12. Whenever conditions permit, sufficient space shall be maintained between vehicles proceeding in the same direction so that an overtaking vehicle may enter and occupy it without danger. Motor vehicles proceeding in convoy shall maintain, so far as possible, a distance of at least 200 feet between units of the convoy. This rule shall not be construed to prevent overtaking and passing another vehicle.

13. Every motor vehicle transporting passengers, and every motor vehicle transporting explosives, inflammable or corrosive liquids, compressed or poisonous gases, or other dan-

gerous articles,<sup>2</sup> shall, upon approaching any railroad grade crossing, be brought to a full stop within fifty feet, but not less than ten feet, from the nearest rail of such railroad, and shall not proceed until the course is known to be clear. All other motor vehicles shall, upon approaching a railroad grade crossing, reduce speed to a rate not exceeding ten miles per hour and shall proceed to cross only if the course is known to be clear. In all cases, crossing shall be made only in such gear that there will be no necessity for changing gears before crossing is completed. The regulations contained in this paragraph need not apply at a street car crossing within a business or residence district, nor at a railroad crossing where trains are required to stop and give right of way to vehicular traffic, nor at a railroad crossing protected by a watchman or traffic officer on duty or by a traffic control "stop and go" signal giving positive indication to approaching vehicles to proceed; provided, however, that nothing herein contained shall be construed so as to relieve the driver of the responsibility of determining that the course is clear before proceeding over such crossing.

14. Every motor vehicle transporting passengers shall, upon approaching any drawbridge, be brought to a full stop not less than fifty feet from the draw, and shall not proceed unless the draw is closed. All other motor vehicles shall, upon approaching any drawbridge, forthwith reduce speed to a rate not exceeding ten miles per hour and shall proceed only if the draw is closed. The regulations contained in this paragraph need not apply at any drawbridge protected by a watchman or traffic officer on duty or by a traffic control "stop and go" signal giving positive indication to approaching vehicles to proceed; provided, however, that nothing herein contained shall be construed so as to relieve the driver of the responsibility of determining that the draw is closed.

15. The speed of any motor vehicle shall not be suddenly decreased, nor its course or direction suddenly changed, nor shall it be stopped, except in case of grave emergency, without hand or other signal having been given, and unless the driver thereof shall have assured himself that such movements can be made without endangering other traffic. Any signal given by mechanical or electrical device shall be discontinued as soon as turning movement is completed.

16. A right turn shall be made from a position which is as close as practicable to the extreme right side of the traveled portion of the highway, and a left turn from a position which is as close as practicable to the center of the traveled portion of the highway, having due regard in all cases to the length of the motor vehicle and any load thereon, the width of the roadway, and other traffic. Before making any turn, the motor vehicle shall be driven into the proper lane well in advance of the intersection, and proper hand or other signal shall be given indicating the direction of the turn to be made.

17. No motor vehicle shall be driven past a vehicle or vehicles proceeding in the same direction until after the course is known to be clear, and, if necessary, an audible signal of intention to pass has been sounded; and after passing, the motor vehicle shall not be returned to the right side of the roadway until safely clear of the overtaken vehicle or vehicles. No motor vehicle shall be driven past a vehicle proceeding in the same direction at an intersection, on a curve, crest of a hill, bridge, or railroad crossing, or approach to a railroad crossing, or wherever there is not ample visible space ahead to do so without endangering any other user of the highway.

18. The speed of a motor vehicle shall not be increased to prevent being overtaken by another vehicle attempting to pass.

19. No motor vehicle shall be driven upon a down grade with gears in neutral or clutch disengaged. Shift shall be made before beginning the descent into such a gear as will enable complete control of the motor vehicle throughout the grade without further gear change.

<sup>2</sup> For definitions, see "Regulations for the Transportation of Explosives and Other Dangerous Articles by Freight and Express and in Baggage Service by Rail, prescribed under the Act of March 4, 1921", of the Interstate Commerce Commission, and Part VI thereof relating to transportation of such articles "by Motor Truck or Other Vehicle", effective March 1, 1935.

### Stopping

20. No motor vehicle shall be stopped, parked, or left standing, whether attended or unattended, upon the traveled portion of any highway outside of a business or residence district, when it is practicable to stop, park, or leave such motor vehicle off such part of such highway.

21. (a) Whenever any motor vehicle is disabled upon the traveled portion of any highway, or shoulder next thereto, and is unable to move therefrom, during the time that lights are required, a lighted flare (pot torch) or red electric lantern shall be immediately placed on the roadway at the traffic side of the motor vehicle, and as soon thereafter as possible, one other lighted flare (pot torch) or red electric lantern shall be placed on the roadway 100 feet (forty paces) to the rear of the motor vehicle, after which the flare or lantern which was originally placed beside the motor vehicle shall be placed on the roadway 100 feet (forty paces) to the front of the motor vehicle.

(b) For every motor vehicle transporting explosives, inflammable or corrosive liquids, compressed or poisonous gases, or other dangerous articles, red electric lanterns shall be used as warning signals in the manner prescribed in paragraph (a) above.

(c) During such time as lights are not required, red flags shall be used in place of flares or electric lanterns as warning signals, and their placement shall be in the same manner as specified in paragraph (a) above.

22. No motor vehicle shall be left unattended until after the ignition has been turned off and the engine stopped, and the ignition locked if means therefor is provided. The hand brake shall be securely set, and the wheels of the motor vehicle, if on a grade, shall be blocked by chocks.

23. Any motor vehicle when meeting or overtaking a school bus discharging or taking on passengers outside of a business or residence district shall be brought to a stop at least ten feet from such school bus, and then shall proceed slowly and only as the course ahead is known to be clear.

### Lights

24. On every motor vehicle operated upon the highways, all lamps required by the regulations of the Interstate Commerce Commission shall display lights during the period from one-half hour after sunset to one-half hour before sunrise, and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead, except as provided in paragraph 27, and except that within the confines of cities, towns, or villages where there is sufficient light to render clearly discernible persons and vehicles upon the highway at a distance of 500 feet ahead, clearance and side marker lights need not be displayed; provided, however, that while any motor vehicle is stopped upon the highway, the head lights shall be dimmed or depressed.

25. No motor vehicle shall be driven with more than four lights of the character of head lights, spot lights, or auxiliary (fog or ditch) lights at any one time.

26. When a motor vehicle is equipped with dual or multiple-beam head lamps, the uppermost beam therefrom shall be used while driving during the time when lights are required, except when meeting approaching vehicles, or within the confines of cities, towns, or villages where there is sufficient light to render clearly discernible persons and vehicles upon the highway at a distance of 500 feet ahead; provided, however, that where fog, dust, or other atmospheric conditions make it desirable for reasons of safety, it shall be permissible to drive with the auxiliary (fog) lights instead of the head lights, or with the depressed head light beam. Dimmed head lights shall not be used at any time as driving lights upon the open highway. When meeting approaching vehicles, the beam from dual- or multiple-beam head lamps shall be depressed in order to reduce glare to approaching drivers.

27. Whenever motor vehicles are operated in combination during the time that lights are required, any clearance lamps which, by reason of their location on a motor vehicle of the

combination, would be obscured by another motor vehicle of the combination need not be lighted; provided, however, that nothing in this paragraph shall be construed to relieve the requirement of displaying lighted clearance lamps on the front of the foremost motor vehicle and on the rear of the rearmost motor vehicle of any combination of motor vehicles.

28. In using a spot light, upon approaching another vehicle, it shall be so aimed that no part of the high-intensity portion of the beam therefrom is directed beyond the left side of the motor vehicle upon which the spot lamp is mounted, nor more than 100 feet ahead of such motor vehicle.

#### *Hazardous Conditions*

29. Extreme caution in the operation of motor vehicles shall be exercised under hazardous conditions, such as snow, ice, sleet, fog, mist, heavy rain, dust, smoke, or any other condition which adversely affects visibility or traction. When such conditions are encountered, speed shall be reduced to, and maintained at, the point where the vehicle is safely in control. Curves and turns shall be taken in such manner that skidding will not result. In cases where tire chains will improve the traction, they shall be used.

#### *In Case of Accident*

30. The driver of any motor vehicle involved in an accident causing death, personal injury, or property damage, shall forthwith stop at the scene of the accident and remain there until he shall have (a) rendered all possible assistance to injured persons, including the making of arrangements for medical or surgical treatment if such treatment appears necessary or is requested; and (b) given to any interested person demanding the same his name and address, the name and address of his employer, if any, and his vehicle registration number. He shall take all reasonable precautions to prevent further accidents at the scene by clearing the traveled portion of the highway so far as possible. As soon as possible after the accident, the driver (if not himself a motor carrier) shall report all details of the accident to his employer or supervisory official.

#### *Miscellaneous*

31. No motor vehicle shall be fueled or be permitted to be fueled with engine running, or in the presence of any open flame. Care shall be exercised to prevent the ignition of fuel by lighted cigars, cigarettes, pipes, or other sources of ignition. The nozzle of the fuel hose shall be in contact with the intake of the fuel tank throughout the fueling process. No passenger-carrying motor vehicle shall be fueled in a closed building with passengers aboard. No reserve supply of gasoline shall be carried on any motor vehicle except in the main fuel tank or in a properly constructed and mounted auxiliary tank.

32. No motor vehicle shall be so loaded as to obscure the driver's view ahead, or to interfere with the free movement of his arms or legs, or to prevent his free and ready access to the accessories required for emergencies.

33. During the time when lights are required to be displayed, there shall be attached to the rearmost extremity of any load which projects four feet or more beyond the rear of the body of the motor vehicle, or to any tailgate so projecting, one red light or lantern, securely fastened thereto, and visible from a distance of at least 500 feet to the sides and rear. At all other times a red flag, attached in a similar manner, shall be displayed.

34. No motor vehicle shall be operated with the tailgate in such position as to obscure any of the required rear lights or reflectors.

35. No person except an employee in the performance of his duties shall be transported upon any motor vehicle not designed and used for the transportation of passengers unless authorized by the motor carrier operating such vehicle, or by law; *Provided, however*, That this rule shall not be construed to prohibit the carrying of any person in case of an emergency arising from an accident, or in other grave emergency.

#### IV. PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION

##### *Comment*

Practically all the parts and accessories of every motor vehicle have a direct or indirect bearing upon safety of operation. Certain items, however, are of prime importance in this respect, and these are included in the proposed regulations on the following pages.

Most of the provisions of these regulations are based upon the best existing practice as embodied in State laws and regulations and as followed by operators with outstanding safety records.

The art of motor vehicle construction and operation is one of constant change and improvement. To recognize the need for certain standards, and yet to leave the way open for further technical advance, has been a guiding principle in setting down the following proposed regulations.

Performance requirements as to certain parts and accessories have been used in these regulations in lieu of detailed specifications. In every case, parts and accessories should be well and substantially constructed and suitable for the purpose for which they are intended.

#### INTERSTATE COMMERCE COMMISSION

##### BUREAU OF MOTOR CARRIERS

##### WASHINGTON

Regulations prescribed under authority of the Motor Carrier Act, 1935, particularly Section 204 (a), (1) and (2), with respect to parts and accessories on motor vehicles operated in interstate or foreign commerce for compensation

Effective -----

#### 1. As used in these regulations—

(a) The term "motor vehicle" means any vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property, and any combination of such vehicles, but does not include any vehicle, locomotive, or car operated exclusively on a rail or rails.

(b) The term "bus" means any motor vehicle designed and used for the carrying of passengers.

(c) The term "truck" means any motor vehicle designed and used exclusively for the carrying of property.

(d) The term "truck tractor" means any motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

(e) The term "semitrailer" means any vehicle without motive power designed to be drawn by another vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by the towing vehicle.

(f) The term "full trailer" means any vehicle without motive power designed to be drawn by another vehicle and so constructed that no part of its weight rests upon the towing vehicle.

(g) The term "gross weight" means the weight of the motor vehicle without load plus the weight of any load thereon.

(h) Any other term used in these regulations is used in its commonly accepted meaning, except where such other term has been defined in Section 203 (a) of the Motor Carrier Act, 1935, in which event the definition therein given shall apply.

2. Nothing contained in these regulations shall be construed to prohibit the use of additional parts and accessories, not inconsistent with these regulations, tending to increase the safety of operation of motor vehicles and to prevent accidents; provided, however, that no part or accessory shall be added to those specified in these regulations which obscures or tends to obscure, or otherwise decreases the effectiveness of, the required parts or accessories.

3. Every motor carrier shall comply with the following regulations.

## 4. On and after

(Six months after effective date of regulations)

every motor vehicle, according to its type and classification, shall be equipped as prescribed hereinafter:

## SECTION A—LIGHTING DEVICES AND REFLECTORS

(1) General requirements as to lighting devices and reflectors shall be as follows, except as provided in paragraph (9) of this Section:

(a) All lights shall be electric.

(b) Head lamp centers shall be placed no higher than forty-eight inches above the ground.

(c) The point of maximum intensity of any beam projected from the head lamps shall not be more than 50,000 apparent candlepower, nor less than 7,500 apparent candlepower.

The high-intensity portion of the beam from the head lamps, when measured at a distance of twenty-five feet in front of the unladen motor vehicle, shall be aimed as specified below:

*Single-beam Head Lamps.*—Top of high-intensity portion of beam.

Bus: Not higher than four inches, nor lower than six inches, below the level of the head lamp centers.

Truck or truck tractor: Not higher than six inches, nor lower than eight inches, below the level of the head lamp centers.

*Dual- or Multiple-Beam Head Lamps.*—Uppermost beam—center of high-intensity portion.

Bus: Not higher than the head lamp centers, nor lower than four inches below the level of the head lamp centers, and substantially between these limits.

Truck or truck tractor: Not higher than two inches, nor lower than six inches, below the level of the head lamp centers, and substantially between these limits.

*Dual- or Multiple-Beam Head Lamps.*—Lower or meeting beam—top of beam from left head lamp.

Bus: Not higher than four inches below the level of the head lamp centers.

Truck or truck tractor: Not higher than six inches below the level of the head lamp centers.

(Comment: Any attempt to establish requirements as to head lights must be in the nature of a compromise between the need for as much light as possible, and the danger of glare. The present regulations, by means of general performance standards, endeavor to set up practical limits (1) for the maximum and minimum intensity of the brightest beam from the head lamps (from 50,000 to 7,500 apparent candlepower) and (2) for the minimizing of glare by means of proper focusing and aiming of the head light beam, taking into consideration the different characteristics of buses and trucks and their loading. The specified procedure in the present regulations is one calculated to give visibility distances comparable to those generally set forth in State requirements, which in the main range from 200 to 350 feet.)

(d) Front clearance lamps, side marker lamps, rear clearance lamps, and tail lamps, when lighted, shall be capable of being seen and distinguished under normal atmospheric conditions during the time when lights are required at a distance of 500 feet from the front, side, and rear of the motor vehicle, respectively.

(e) Stop lights shall be actuated upon application of the service (foot) brake and shall be capable of being seen and distinguished from a distance of 100 feet to the rear of the motor vehicle in normal daylight; but shall not project a glaring or dazzling light. It is permissible that the stop light be incorporated with the tail lamp.

(f) Clearance lamps and side marker lamps shall be so located on the motor vehicle as to indicate, as nearly as the permanent structure thereof will permit, its extreme width and length. It is permissible that adjacent clearance lamps and side marker lamps be combined in a single mounting.

(Comment: Clearance and side marker lights are designed to minimize the hazard of collisions and side swipes by indicating the dimensions of vehicles which are wider and/or longer than the generality of vehicles.)

(g) No red or green light or reflector shall be displayed on, or be visible from, the front of the motor vehicle.

(Comment: Red lights are almost universally prohibited on the front of vehicles. Sixteen States require white or yellow lights, sixteen require green, three require white, yellow, or green, and a few require blue or purple. Officials of some States now requiring green indicate dissatisfaction with this requirement, preferring white or amber. Green is undesirable since it indicates a clear course, or "GO".)

(h) No flashing light shall be displayed on motor vehicles except as a means for indicating right or left turns.

(Comment: Increasing height of evidence appears to favor the use of a flashing light as a distinctive feature of turn-indicating devices, and to reserve such a flashing light for this purpose only. See also comment on paragraph (6) (a).)

(i) No reflector shall be mounted upon the motor vehicle at a height to exceed forty-two inches, nor less than twelve inches, above the ground upon which the motor vehicle stands. Every reflector shall be of such size and characteristics as to be readily visible at night from all distances within 500 feet to fifty feet from the motor vehicle when directly in front of a normal head light beam. It is permissible that one of the required red reflectors on the rear of the motor vehicle be incorporated with the tail lamp.

(Comment: Forty-two inch height limit for reflectors is indicated as the top limit in many States, for the reason that within

this height ample light will fall upon the reflectors from the head lamps of approaching vehicles. There is no apparent reason why this limit should not be somewhat higher if deemed desirable.)

(2) (a) On every bus or truck, whatever its size, there shall be at least the following lighting devices and reflectors:

On the front—two head lamps, one at each side;

On each side—one red reflector, at or near the rear; and

On the rear—one red tail lamp; one red or yellow stop light; and two red reflectors, one at each side.

(See Diagram A.)

(b) On every bus or truck eighty inches or more in over-all width or thirty feet or more in over-all length, there shall be, according to its dimensions, the following lighting devices and reflectors in addition to those required by paragraph (a) above:

If eighty inches or more in over-all width and less than thirty feet in over-all length—on the front, two white or yellow clearance lamps, one at each side; on the rear, two red clearance lamps, one at each side.

(See Diagram B.)

If eighty inches or more in over-all width and thirty feet or more in over-all length—on the front, two white or yellow clearance lamps, one at each side; on each side, two side marker lamps, one at or near the front, white or yellow in color, and one at or near the rear, red in color, and one reflector at or near the front, white or yellow in color; on the rear, two red clearance lamps, one at each side.

(See Diagram C.)

(Comment: A dividing line of eighty-inch width and thirty-foot length is employed in many States to differentiate between the smaller and the larger types of vehicles.)

(3) On every truck tractor, there shall be the following lighting devices and reflectors:

On the front—two head lamps, one at each side; and two white or yellow clearance lamps, one at each side;

On each side—one white or yellow side marker lamp located at or near the front; and

On the rear—one red or yellow stop light; one red tail lamp; and two red reflectors, one at each side.

(See Diagram D.)

(Comment: Clearance lights are required on truck tractors as they are often as wide as the trailers they draw, and in addition, sometimes operate alone. Side marker lights are required on truck tractors since no such side marker lights are required on the front of semitrailers or full trailers.)

(4) On every semitrailer or full trailer having a gross weight in excess of 3,000 pounds, there shall be the following lighting devices and reflectors:

On the front—two white or yellow clearance lamps, one at each side;

On each side—one red side marker lamp located at or near the rear; two side marker reflectors, one white or yellow at or near the front, and one red at or near the rear; and

On the rear—two red clearance lamps, one at each side; one red or yellow stop light; one red tail lamp; and two red reflectors, one at each side.

(See Diagram E.)

(Comment: Clearance lights on the front are required on all trailers as they are frequently either higher and/or wider than the towing vehicle. Provision is elsewhere made that such lamps are not required to be lighted if the towing vehicle is of the same dimensions as the trailer.)

(5) On the rear of every semitrailer or full trailer having a gross weight of 3,000 pounds or less, there shall be one red tail lamp and two red reflectors, one at each side. If such semitrailer or full trailer is so loaded or is of such dimensions as to obscure the stop light on the towing vehicle, it shall also be equipped with one red or yellow stop light.

(6) (a) Whenever the outermost edge of any motor vehicle or combination of motor vehicles, or any load thereon, extends twenty-four inches or more beyond the center of the steering post, such motor vehicle or combination of motor vehicles shall be equipped with at least one illuminated signalling device to indicate an intention to turn right or left, which shall be yellow in color and shall be visible in normal daylight and at night within all distances from 100 feet to twenty-five feet to the rear, measured on the prolongation of the longitudinal center line of the motor vehicle or combination of motor vehicles. Such device shall not project a glaring or dazzling light, but a flashing light is permissible.

(Comment: The twenty-four inch criterion has been adopted in several States as a practical means of determining a limit beyond which a hand signal by the driver would not be effective. Since a flashing light is permissible in a turn-indicating device, the color yellow is used, both for its accepted value in meaning "caution", and to avoid conflict with the standard railroad crossing signal of a flashing red light. See also preceding comment on paragraph (h).)

(b) Whenever the over-all width of any motor vehicle or combination of motor vehicles is eighty inches or more, such motor vehicle or combination of motor vehicles shall be equipped with two illuminated signal devices, one located at the left to indicate a left turn, and one located at the right to indicate a right turn, each of which shall meet the requirements set forth in paragraph (a) above.

(7) Every motor vehicle transporting explosives, inflammable liquids, or other dangerous articles, shall be equipped, in addition to the lighting devices and reflectors required hereinbefore, with two white or yellow reflectors on the front thereof, one at each side.

(Comment: The requirement as to reflectors on the front of vehicles transporting explosives, inflammable liquids, etc., is in accord-

ance with present Interstate Commerce Commission regulations for common carriers by motor truck or other vehicle, to which specific reference has been made.)

(8) Any truck, bus, or truck tractor may be equipped, at the option of the motor carrier, with not more than three auxiliary (fog) lamps located on the front of the vehicle not higher than forty-two inches above the ground, and so aimed that no part of the high-intensity portion of the beam therefrom shall strike the roadway at a distance greater than seventy-five feet in front of the motor vehicle; and with not more than one spot lamp.

(9) Any motor vehicle operated solely on lighted streets within the confines of cities, towns, or villages, or any motor vehicle operated solely within the time from one-half hour before sunrise to one-half hour after sunset, except motor vehicles transporting ex-

plosives, inflammable liquids, or other dangerous articles, need not be equipped with clearance lamps or side marker lamps, nor with electric head lamps or electric tail lamp; but the provisions of this paragraph shall not be construed to mean the waiving of any of the other requirements of this Section.

#### SECTION B—SAFETY GLASS

(1) All replacements of glass on every motor vehicle for the windshield, rear window or windows, doors, and the window next to the driver, shall be made with safety glass which shall conform to the requirements contained in the American Tentative Standard Specifications and Methods of Test for Safety Glass—Z-26.1-1935, approved by the American Standards Association.

#### REQUIRED LIGHTING DEVICES AND REFLECTORS

DIAGRAM A - On every bus or truck less than eighty inches in over-all width and less than thirty feet in over-all length:

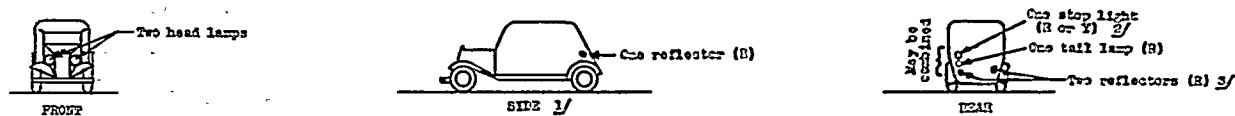


DIAGRAM B - On every bus or truck eighty inches or more in over-all width, but less than thirty feet in over-all length:

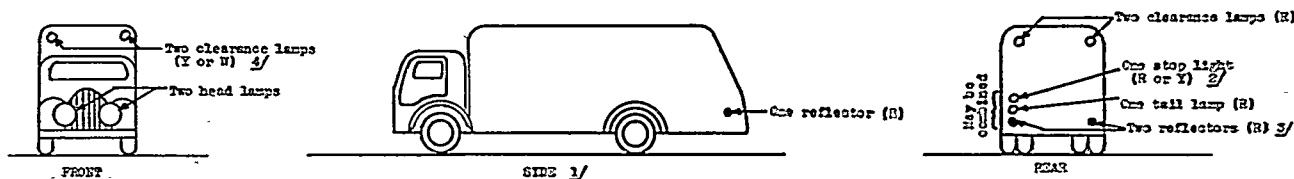


DIAGRAM C - On every bus or truck eighty inches or more in over-all width and thirty feet or more in over-all length:

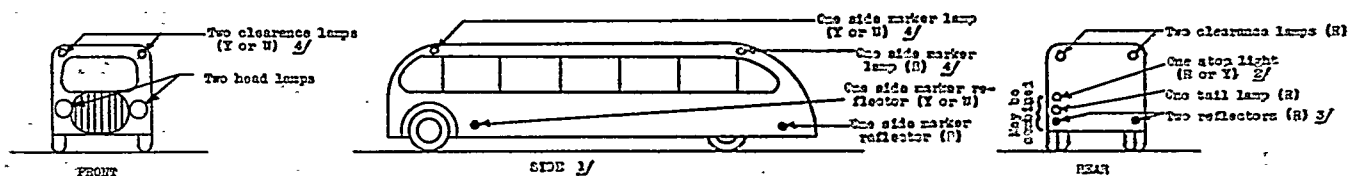


DIAGRAM D - On truck tractors:

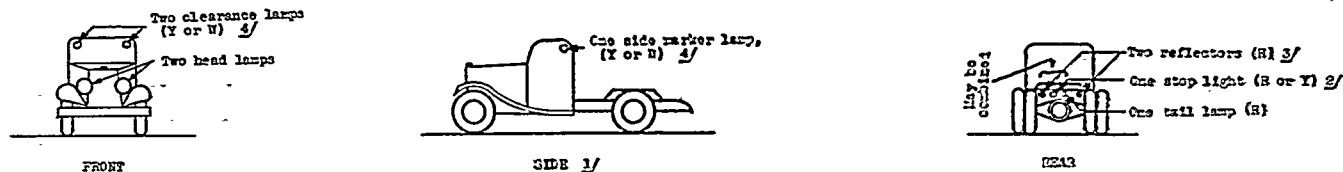
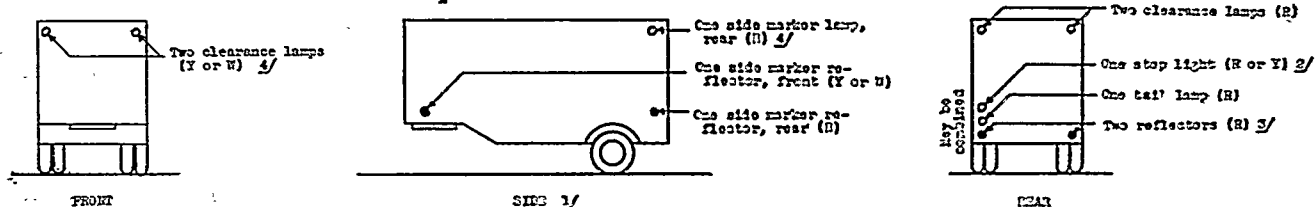


DIAGRAM E - On full trailers and semitrailers:



1/ Same for each side.

2/ Stop light may be in combination with tail lamp.

3/ One reflector may be in combination with tail lamp.

4/ Side marker and clearance lamps may be combined.

R - Red

Y - Yellow

W - White

NOTE: On motor vehicles transporting explosives, inflammable or corrosive liquids, compressed or poisonous gases, or other dangerous articles - two reflectors, W or Y, front, in addition to other requirements.

## SECTION C—BRAKES

(1) Every bus, truck, and truck tractor shall be equipped with brakes adequate to control the movement of, and to stop and to hold, such vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two wheels. If these two separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the vehicle without brakes on at least two wheels.

(2) Every combination of motor vehicles shall be equipped with brakes upon one or more of such motor vehicles, adequate to stop such combination of motor vehicles within the distances specified hereinafter.

(3) Every motor vehicle or combination of motor vehicles, according to its type or classification, shall have at all times and under all conditions of loading a maximum or sustained braking deceleration equivalent to a stop on a dry, smooth, level road free from loose material within a specified distance, as shown in the following table:

	Feet to stop from 20 miles per hour	Deceleration in feet per sec. per sec. <sup>3</sup>
Bus—		
Having brakes on all wheels.....	30	14
Not having brakes on all wheels.....	40	11
Truck—		
Having brakes on all wheels.....	35	12
Not having brakes on all wheels.....	40	11
Combination of Motor Vehicles—		
Having brakes on all wheels.....	40	11
Not having brakes on all wheels.....	50	9

<sup>3</sup> Equivalence with stopping distances listed only to the nearest half-foot.

Testing of brake performance shall be by means of instruments or machines capable of being read either in deceleration (feet per second per second), feet to stop from twenty miles per hour, or other equivalent measure.

(4) In any combination of motor vehicles, means shall be provided for applying braking effort first on the rearmost trailer equipped with brakes.

(5) The hand brake shall be adequate to hold the motor vehicle or combination of motor vehicles stationary on any up or down grade on which it is to be operated.

(Comment: This requirement concerns trailers such as tool-boxes, small poles, etc. The forty-percent limitation takes into account the fact that a light trailer without brakes towed by a heavy vehicle does not constitute a hazard comparable with the towing of a light trailer by a light vehicle.)

(6) On and after.....  
(Two years after effective date of regulations)

every motor vehicle shall be equipped with brakes on all wheels, excepting full trailers or semitrailers of a gross weight not exceeding 3,000 pounds; provided, however, that the gross weight of any such full trailer without brakes shall not exceed forty per cent of the gross weight of the towing vehicle, and that the gross weight of any such semitrailer without brakes shall not exceed forty per cent of the gross weight on the axles of the towing vehicle when combined with the semitrailer.

## SECTION D—MISCELLANEOUS PARTS AND ACCESSORIES

(1) Every motor vehicle having a windshield shall be equipped with at least one device for cleaning rain, snow, or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver.

(2) Every truck, bus, and truck tractor shall be equipped with at least one rear-vision mirror, firmly attached to the motor vehicle, and so located as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear.

(3) Every motor vehicle which is equipped with a windshield and which operates in climates or under conditions such that ice or frost would be likely to collect on the windshield, shall be equipped with a device or other means of preventing or removing such ice or frost.

(4) Every truck, bus, and truck tractor shall be equipped with a horn and actuating elements which shall be in such condition as to give an adequate and reliable warning signal.

(5) No fuel tank or intake pipe on any motor vehicle shall project beyond the sides of the motor vehicle. No fuel tank or intake pipe on any bus shall be located inside the bus body.

(6) Whenever an auxiliary gasoline tank is carried upon any motor vehicle, such tank shall be of substantial construction, permanently attached to the motor vehicle in a manner similar to that which constitutes good practice in permanent installations, and so as to absorb shocks.

(7) (a) Every motor vehicle or combination of motor vehicles shall carry at all times the following emergency parts and accessories, which shall be in proper and effective working order, and available for immediate use:

One fire extinguisher (one quart carbon tetrachloride or other volatile liquid type, seven and one-half pound carbon dioxide type, or one gallon calcium chloride type);

One jack;

At least one spare electric bulb for each kind of required lighting device (excepting vehicles not required to have electric lights);

One red lantern, if projecting loads are carried; and

One red flag, not less than sixteen inches square, if projecting loads are carried.

(b) Every motor vehicle or combination of motor vehicles operating outside the corporate limits of cities, towns, or villages shall carry at all times the following emergency parts and accessories:

All items listed under (a) above;

One tool kit (sufficient for ordinary repairs);

One set of tire chains (for all vehicles likely to encounter conditions requiring them);

At least one spare tire capable of fitting each wheel;

At least two chocks;

At least two flares (liquid-burning pot torches, capable of burning continuously for not less than twelve hours in five-mile-per-hour wind velocity, capable of burning in any air velocities from zero to forty miles per hour, substantially constructed so as to withstand reasonable shocks without leaking, and carried in a metal rack or box); or at least two red electric lanterns (capable of operating continuously for not less than twelve hours, and substantially constructed so as to withstand reasonable shock without breakage); and

At least two red flags, not less than sixteen inches square, with standards.

(c) Every bus having a seating capacity of ten or more persons and operating outside the corporate limits of cities, towns, or villages shall carry at all times the following emergency parts and accessories:

All items listed under (a) and (b) above;

One metal first-aid kit with supplies sufficient for ten injured persons; and

One hand axe.

(5) Every new motor vehicle purchased by a motor carrier on and after....., shall conform to the following (Ninety days after effective regulations)

ing requirements, in addition to those hereinbefore set forth:

(a) *Lights*.—There shall be two stop lights on the rear of every motor vehicle, one at each side.

Head lamps shall be of the dual- or multiple-beam type.

(b) *Safety Glass*.—Wherever glass is used in windshields, rear windows, doors, and the window next to the driver, it shall be safety glass, which shall conform to the requirements contained in the American Tentative Standard Specifications and Methods of Test for Safety Glass—Z-26.1-1935, approved by the American Standards Association.

(c) *Brakes*.—Every motor vehicle shall be equipped with brakes on all wheels, except any trailer or semitrailer the gross weight of which does not exceed 3,000 pounds.

Every full trailer or semitrailer, the gross weight of which exceeds 3,000 pounds, shall be equipped with brakes of such character as to be automatically applied upon breakaway from the towing vehicle, and means shall be provided to maintain application of the brakes in such case for at least fifteen minutes.

## V. REPORTING OF ACCIDENTS

## Comment

Development of as complete information as possible regarding accidents in which vehicles operating under the Motor Carrier Act are involved is essential in order to evolve further means for accident prevention.

The regulations contained in the following pages require notification in writing to the Interstate Commerce Commission by the motor carrier of every accident in which a motor vehicle operated by the motor carrier is involved and from which there results the death of any person, personal injury requiring medical attention, or property damage amounting to \$100 or more. Telegraphic notification is also required in the case of every accident from which the death of any person results within thirty days after the date of the accident, and written notification if death occurs after thirty days.

A further detailed report as to each reportable accident is required of the motor carrier, to be furnished upon a form which will be sent the carrier by the Interstate Commerce Commission. This form will list the various elements contributory to any and all highway accidents, and will be so arranged that it may be filled out in the main by the use of check marks.

It is proposed that all reports by motor carriers of accidents will be held in confidential files and will not be produced by the Interstate Commerce Commission or its officers or employees for any purpose other than enforcement of the Motor Carrier Act and rules and regulations established thereunder.

## INTERSTATE COMMERCE COMMISSION

## BUREAU OF MOTOR CARRIERS

## WASHINGTON

Regulations prescribed under authority of the Motor Carrier Act, 1935, particularly Section 204 (a), (1) and (2), with respect to reports of accidents involving motor vehicles operated in interstate or foreign commerce for compensation

Effective \_\_\_\_\_

1. Every motor carrier subject to the provisions of the Motor Carrier Act, 1935, other than a private carrier, shall mail to the Interstate Commerce Commission, Bureau of Motor Carriers, Washington, D. C., a report in writing as to every accident in which any motor vehicle operated by him or it is involved and from which there results the death of any person, personal injury requiring medical attention, or property damage amounting to \$100 or more, within five days after the date of such accident.

Such report shall include the following information:

- (a) Date, time, and exact location of the accident;
- (b) Name and address of the reporting carrier, with number of Interstate Commerce Commission certificate or permit, and signature and title of person making report;
- (c) Type of motor vehicle involved (bus, truck, trailer-combination), and Interstate Commerce Commission registration number;
- (d) Number of persons killed or injured, with statement as to whether injuries are of serious or minor nature; and
- (e) Estimated amount of property damage.

2. Whenever the death of any person results from such accident within thirty days thereafter, immediate telegraphic notice of such death shall be sent by the motor carrier to the Interstate Commerce Commission, Bureau of Motor Carriers, Washington, D. C., with sufficient information to identify the accident from which the death resulted; and whenever the death of any person results from such accident later than thirty days thereafter, similar notice of such death shall be given in writing as soon as such death is known to the motor carrier.

3. A further detailed report as to each reportable accident shall be furnished by the motor carrier upon demand, using for this purpose a form to be sent to him by the Interstate Commerce Commission.

[F. R. Doc. 1098—Filed, July 3, 1936; 12:33 p. m.]

## ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 30th day of June A. D. 1936.

[Docket No. BMC 50971]

APPLICATION OF EDWARD C. HILL FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Edward C. Hill of Seaford, Del., for a Certificate of Public Convenience and Necessity (Form BMC 8, New Operation), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally in Interstate Commerce between Points Located in the States of Connecticut, Delaware, District of Columbia, Maryland, Massachusetts, New York, North Carolina, New Jersey, Pennsylvania, Rhode Island, Virginia, South Carolina

*It appearing*, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

*It is ordered*, That the above-entitled matter be, and it is hereby, referred to Examiner T. B. Johnston for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

*It is further ordered*, That this matter be set down for hearing before Examiner T. B. Johnston, on the 20th day of July A. D. 1936 at 9 o'clock a. m. (standard time) at the New State House, Dover, Del.

And it is further ordered, That notice of this proceeding be duly given.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 1132—Filed, July 7, 1936; 12:03 p. m.]

[Fourth Section Application No. 16411]

COAL FROM SOUTHWEST VIRGINIA TO GEORGIA

JULY 7, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: J. P. Blanton and J. E. Tilford, Agents.

Commodity involved: Coal, in carloads.

From: Mines in southwest Virginia on the Interstate Railroad and Southern Railway.

To: Points in Georgia.

Grounds for relief: Carrier competition and to maintain grouping.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 1133—Filed, July 7, 1936; 12:03 p. m.]

[Fourth Section Application No. 16412]

POTATOES FROM MINNESOTA TO THE SOUTH

JULY 7, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: L. E. Klipp, Agent.

Commodity involved: Potatoes, in carloads.

From: Points in Minnesota.

To: Points in southern territory.

Grounds for relief: Carrier competition and to maintain grouping.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 1134—Filed, July 7, 1936; 12:08 p. m.]

[Fourth Section Application No. 16413]

PETROLEUM AND PETROLEUM PRODUCTS IN LOUISIANA

JULY 7, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: Texas and New Orleans Railroad Company.

Commodities involved: Petroleum and petroleum products.

Between: Points in Louisiana via interstate routes of the Texas and New Orleans Railroad Company.

Grounds for relief: To meet intrastate rates.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate

and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL] GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 1135—Filed, July 7, 1936; 12:08 p. m.]

## SECURITIES AND EXCHANGE COMMISSION.

### *United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 7th day of July A. D. 1936.

[File No. 37-2]

#### IN THE MATTER OF UNITED CITIES UTILITIES COMPANY

#### NOTICE OF OPPORTUNITY FOR HEARING AND ORDER DESIGNATING TRIAL EXAMINER

An application having been duly filed with this Commission, pursuant to Section 13 (a) of the Public Utility Holding Company Act of 1935, by United Cities Utilities Company, a registered holding company, for such exemption as to certain transactions as would allow the applicant to pro-rate equitably among its subsidiary companies a portion or all of its actual and necessary costs in management and other services performed for said subsidiary companies, the exemption being requested on the ground that such transactions involve special or unusual circumstances and that such exemption would be in the public interest;

It is ordered that the matter be set down for hearing on July 24, 1936, at 10:00 o'clock in the forenoon of that day, at Room 1101, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

It is further ordered that Robert P. Reeder, an officer of the Commission, be and he hereby is designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that any interested state, state commission, state securities commission, municipality, or other political subdivision of a state, or any representative of interested consumers or security holders, or any other person desiring to be admitted as a party in this proceeding or to offer evidence in this matter, shall give notice of such intention to the Commission, such notice to be received by the Commission not later than July 20, 1936.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1140—Filed, July 7, 1936; 12:57 p. m.]

### *United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 7th day of July A. D. 1936.

[File No. 37-3]

#### IN THE MATTER OF CORPORATION SERVICES, INC.

#### NOTICE OF OPPORTUNITY FOR HEARING, APPLICATION FOR APPROVAL AS A MUTUAL SERVICE COMPANY PURSUANT TO RULE 13-22

Corporation Services, Inc., an Indiana corporation, the stock of which is owned by Public Service Company of Indi-

ana, a subsidiary of the trustees of the estate of Midland United Company, and by Northern Indiana Public Service Company, a subsidiary of the trustees of the estate of Midland Utilities Company, and which renders accounting and tax services to companies in the Midland United System, to companies in the Midland Utilities System and to The Peoples Gas Light & Coke Company, and its subsidiaries, having filed with this Commission, pursuant to Rule 13-22, an application for approval as a mutual service company:

It is ordered, that the matter be set down for hearing before this Commission on the 16th day of July 1936, at 10 o'clock in the forenoon of that day at Room 1103, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1142—Filed, July 7, 1936; 1:11 p. m.]

### *United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 7th day of July A. D. 1936.

[File No. 37-4]

#### IN THE MATTER OF MIDLAND STOCK TRANSFER COMPANY

#### NOTICE OF OPPORTUNITY FOR HEARING, APPLICATION FOR APPROVAL AS A MUTUAL SERVICE COMPANY PURSUANT TO RULE 13-22

Midland Stock Transfer Company, an Illinois corporation, the stock of which is held by the trustees of the estate of Midland United Company, and which renders stock transfer and dividend disbursing services to certain companies in the Midland United or the Midland Utilities System, having filed with this Commission, pursuant to Rules 13-22, an application for approval as a mutual service company:

It is ordered that the matter to be set down for hearing before this Commission on the 16th day of July 1936, at 10 o'clock in the forenoon of that day at Room 1103, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1143—Filed, July 7, 1936; 1:11 p. m.]

Thursday, July 9, 1936

No. 84

## PRESIDENT OF THE UNITED STATES.

### PERRY'S VICTORY AND INTERNATIONAL PEACE MEMORIAL NATIONAL MONUMENT—OHIO

By the President of the United States of America

#### A PROCLAMATION

WHEREAS Public No. 631, 74th Congress, approved June 2, 1936, authorizes the President of the United States to establish by proclamation the hereinafter-described Government lands, together with the Perry's Victory Memorial proper, its approaches, retaining walls, and all buildings, structures, and other property thereon, situated in Put-in-Bay Township, South Bass Island, Ottawa County, Lake Erie, State of Ohio, as the Perry's Victory and International Peace Memorial National Monument, on Put-in-Bay, South Bass Island, in the State of Ohio:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of and pursuant to the power in me vested by the said Act of June 2, 1936, do proclaim and establish the Perry's Victory and International Peace Memorial National Monument consisting of the following-described Government lands, together with